IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 2211 of 1996

Between:

1 M.K.Subba Rao, S/o. M.Krishnnaiah.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
2 P.Ramanjaneyulu, S/o. P.Rangappa.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
3 Y.Srinivasulu, S/o. chenchaiah.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
4 G.Giridhar Reddy, S/o. Srinivasulu Reddy.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
5 P.Venkateshwarlu, S/o. P.Sriramulu.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
6 C.Balakrishnaiah, S/o. C.Chengaiah.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
7 M.Sadasiva Reddy, S/o. M.Srinivasulu Reddy.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
8 C.Jaya raj, S/o. C.Samuel.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.
9 T.Sambandam, S/o. T. Dhakshinamurthy Achari.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,

Tirupathi, Chittoor.

10 C.Guruva Reddy, S/o. C.Venkata Reddy.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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11 P.Krishnaiah, S/o. P.Gangaiah,
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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12 K.Balarami Reddy, S/o. K.Mutyalareddy.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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13 O.Kuppaiah Chetty, S/o. O.Rajachetty.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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14 B.Balakrishna Reddy, S/o. B.Venkatareddy.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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15 T.Shankaraiah Chetty, S/o. Venkatarathnamchetty,
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.

16 B.Satyanarayana Achary, S/o. B. Munirathnam Achary.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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17 M.Venkataramaiah, S/o. Subbarayulu.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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18 K.G.Shivalingam, S/o. Govinda Mudaliar.
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19 G.Balaji Singh, S/o. V.R.Gangaram Singh.
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20 C.Munaswamy Pillai, S/o. C.NarayanaSwamy,
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21 D.R.Satyanarayana, S/o. D.R.Ramaswamy.
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22 P.Giriappa, S/o. Giriappa.
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23 M.Subramanyam, S/o.Sukla Naidu.
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24 Kristam Subrahmanyam, S/o. K.Guravaiah.
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25 M.V.Panduranga Rao, S/o. M.R.Venkata Rao.
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26 N.Krishnnaiah, S/o. N.Muniramaiah.
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27 K.Prabhakar, S/o. K.LAkshmipathi.
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28 S.Ranga Rao, S/o. S.Narayana RAo.
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29 A.Narayana, S/o. A.Yellappa.
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30 A.Nagaraja, S/o. A.Pullaiah.
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31 Y.Kesava Reddy, S/o. Y.Pulla Reddy.
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32 P.Jayaram, S/o. P.Gangaiah.
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33 M.Adinarayana, S/o. M.K.Hanumantha Pillai,
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34 K.M.Satyanarayana Chetty, S/o. K.Garudappa.
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35 Kuragayala Subrahmanyam, S/o. K.Ramaswamy.
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36 A.Radhakrishnaiah, S/o. Sreenivasulu.

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37 N.Viswanadham, S/o. N.Gopalachary.
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38 K.Govardhana Chetty, S/o. K.Munirathnam Chetty.
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39 E.Subramanyam, S/o. Balaiah.
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40 M.Govindaswamy, S/o. Muniswamy.
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47 G.Madankami Reddy, S/o. G.Krishna Reddy.
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48 V.Subbarethnam Chetty S/o. V.Venkatarathnam Chetty,
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49 Kalthireddy Subrahmanyam, S/o. K.Masthanaiah.
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56 C.Kannaiah, S/o. C.Venkatrayulu.
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57 C.Doraswamy Reddy, S/o. C.Muniswamy Reddy.
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62 M.Hanumanthachari, S/o. M.Bhaskaracharyulu
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68 Dr. M.Prabhakara Rao, S/o. M.Gundu Rao.
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69 Dr. E.Chandra Mouli, s/o. E.Kannaiah Reddy.
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70 T.Ananta Narayana, S/o. T.Lakshminarayana.
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71 D.K.,Srinivasa Rao, S/o. K.Nageshwara Rao.
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75 C.Ramamurthy, S/o. C.Chakravarthy.
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76 L.Munirathnam Naidu, S/o. L.Munaswamy Naidu.
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77 Y.Muni Reddy, S/o.Y.Rami Reddy.
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78 Smt. N.Lenaruth, W/o. B.Nagaraja.
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79 A.Sambasiva Reddy, S/o. A.Krishna Reddy.
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80 M.Subbaramaiah, S/o. M.Puttaiah.
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82 K.Rama Chandraiah Chetty, S/o. K.Venkatrayulu Chetty.
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83 S.Rahman Sahib, S/o. S.Bashu Sahib.
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84 V.Chalapathy, S/o. V.Venkataiah.
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85 Dr. C.Nagaraju, S/o. C.Rama Raju.
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86 K.Purushothaman, S/o. S.Kannaiah.
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87 M.Krishnaiah, S/o. M.Venkatrayulu.
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88 E.Muni Reddy, S/o. E.Venkatareddy.
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89 V.Krishna Reddy, S/o. V.Venkata Reddy.
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90 C.Seshaiah, S/o. C.Venkatasubbaiah.
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91 E.Kamalanabhaiah, S/o.Venkataiah.
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92 V.Durga Chary, S/o. V.Koteshwara Rao.
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93 N.Balaramaiah, S/o. Chinnabba.
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94 V.R.Raj Bahdur Singh, S/o. S.R.Ratna Singh.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
Tirupathi, Chittoor.

95 K.Siddaiah, S/o. Venkataswamy.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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96 C.Ramakrishna Reddy, S/o. C.Gangi Reddy.
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97 M.Varadarajulu Pillaiah, S/o. M.Muniswamy Pillai.
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98 V.Bhima Rao, S/o. V.Babu Rao.
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99 G.Gangaiah, S/o. G.Chengaiah.
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100 S.Sankarachari, S/o. S.Kuppachari.
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101 D.Nadamuni Naidu, S/o. D.Perumal Naidu.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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102 B.Mogilaiah, S/o. B.Venkataiah.
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103 M.Siddiaiah, S/o. M.Perumal Naidu.
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104 K.Subrahmanyam, S/o. K.Kuppanaidu.
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105 J.Sivaramaiah, S/o. J.Obulaiah.
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106 S.Ramaiah, S/o. Venkataswamy.
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107 A.M.Pattabi, s/o. A.M.Kullappa.
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108 B.Krishnaiah, S/o. B.Venkatasubbaiah.
Non-Teaching Technical Staff of 1st respondent University. Sri Venkateshwara University,
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..... PETITIONERS

AND

1 The Registrar, Sri Venkateshwara University,
Tirupathi, Chittoor.
2 The State of A.P., Rep. Principal Secretary,
Secretariat, Education Dept.,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or order or direction under Article 226 of the Constitution of India, particularly one in the nature of writ of Mandamus, directing the respondents herein to arrange for the payment of arrears of salary ie., difference of pay between the Tentative Pay and the revised scale of pay for the period of from 01/07/1986 to 31/03/1990 petitioners herein after calling for the records and to pass

Counsel for the Petitioners: MR.PRATTIPATI VENKATESWARLU

Counsel for the Respondent No1: MR.P.SREE RAMULU NAIDU

Counsel for the Respondent No:2: The Government Pleader for Higher Education.

The Court made the following :

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 2211 of 1996

ORDER:

The 108 petitioners are Non-Teaching Technical staff of Sri Venkateshwara University, Tirupathi. The State Government constituted the 1986 P.R.C. whose report was accepted in G.O.Ms.No.288, Finance and Planning Department, dated 17.11.1986, revising the pay scales of the Government employees. University employees sought clarification, through their chairman in the matter of revision of their pay scales. The State Government there upon issued G.O.Ms.No.25, (F&P) Department, dated 11.02.1988, applying the revised pay scales to the employees of the University also with effect from 01.07.1986. However, Non-Teaching-Technical posts of the Universities were not covered by the benefits under G.O.Ms.No. 25, (F& P) Department, dated 11.02.1988. In order to consider the claim of this class of employees and those who do not have comparable posts in the Government services, a committee was constituted headed by Dr. T. Navaneetha Rao, to consider the revision of pay scales of the holders of Non-Teaching Technical posts in Universities in the State. Consequent on the recommendations of this Committee,

which was constituted on 30.03.1988, the Government issued orders in G.O.Ms.No.287, (F&P) Department, on 03.12.1991, revising the pay scales of other classes of University employees also, with effect from 01.04.1990. Meanwhile, the petitioners were being given some stop-gap benefits, pending consideration of the recommendations of the Navaneetha Rao Committee. The petitioners have also derived the benefit of revised scales with effect from 01.07.1986 to 31.03.1990. The current grievance of writ petitioners is confined to the narrow area viz., the denial of the revision of pay scales benefit from 01.07.1986, as was given to Government employees under G.O.Ms.No.288, Finance and Planning Department on 17.11.1986 and to other University employees under G.O.Ms.No.25, (F&P) Department, dated 11.02.1998.

The validity of the cut-off date specified in G.O.Ms.No.287 dated 03.12.1991 fell for the consideration of this Court earlier.

The learned Single Judge of this Court rejected W.P.No. 2116 of 1996 filed by employees of Sri Krishnadevaraya University assailing the fixation of the cut-off date 01.04.1990 for extending the benefits of the revised pay scales to the non-teaching technical staff of Universities. On appeal, a Division Bench of this Court by the judgment dated 24.09.2002, allowed the Writ Appeal No. 21 of 2000 and directed implementation of the revised pay scales with effect from 01.07.1986 in favour of non-teaching technical staff of Universities also and on par with other employees.

As against the Judgment supra, the State and the Krishnadevaraya University, carried the matter by way of Special Leave to Appeal (Civil) C.C.No.9735 of 2003, and by the judgment dated 17.11.2003, the Supreme Court dismissed the S.L.P.

In the light of the Judgment of a Division Bench of this Court dated 24,09.2002 in W.A.No. 21 of 2000, and in view of the identity of facts and circumstances between the issues that fell for consideration by the Division Bench and those that fall for consideration in this writ petition, the present writ petition is allowed. The respondent-university is directed to extend the benefits of the revised pay scales in G.O.Ms.No. 287 (F &P) Department, dated 03.12.1991 to the petitioners with effect from 01.07.1986. The arrears of difference in salary and emoluments consequent on such revision shall be quantified and paid to the petitioners expeditiously, in any event, within four months from the date of receipt of a copy of this Court. No costs.

_____

23rd September, 2004

bud/pvsn

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, The Chief Justice on this Thursday, the Twenty Third Day of September, two thousand and Four.

Assistant Registrar

Copy to:

1.The Registrar, Sri Venkateshwara University,

Tirupathi, Chittoor District,A.P.,

2. The Principal Secretary, The State of A.P.,

Secretariat, Education Department,

Hyderabad.

3. Two Copies to the G.P., for Higher Education,

High Court Buildings, High Court of A.P.,

Hyderabad.(OUT)

4. Two C.D.Copies.